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Amendment Under 37 C.F.R. § 1.116<sup>PS</sup>  
Expedited Procedure - Art Unit 1624

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

CAI *et al.*

Appl. No. 09/769,420

Filed: January 26, 2001

For: **Substituted Nicotinamides and  
Analogues as Activators of Caspases  
and Inducers of Apoptosis and the  
Use Thereof**

Confirmation No.: 4240

Art Unit: 1624

Examiner: McKenzie, Thomas C.

Atty. Docket: 1735.0440001/RWE/RAS

**Amendment and Reply Under 37 C.F.R. § 1.116 and in the Revised  
Format of the Pre-OG Notice Dated January 31, 2003**

*Attn: Box AF*

**RECEIVED**

Commissioner for Patents  
Washington, D.C. 20231

APR 24 2003

TECH CENTER 1600/2900

Sir:

In further reply to the Office Action dated September 23, 2002, (PTO Prosecution File Wrapper Paper No. 9), Applicants submit the following Amendment and Remarks. This Amendment is provided in the format approved in the pre-OG Notice dated January 31, 2003, entitled, "Amendments In A Revised Format Now Permitted," and in the following format:

- (A) Each section begins on a separate sheet;
- (B) Starting on a separate sheet, a complete listing of all of the claims:
  - in ascending order;
  - with status identifiers; and
  - with markings in the currently amended claims;

(C) Starting on a separate sheet, amendments to the specification by presenting replacement paragraphs marked up to show changes made;

(D) Starting on a separate sheet, the Remarks.

It is not believed that extensions of time or fees for net addition of claims are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to our Deposit Account No. 19-0036.